

REMARKS/ARGUMENTS

The office action of May 13, 2008 (the Office Action) has been reviewed and these remarks are responsive thereto. Claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 121-123 are pending in the application. Reconsideration and allowance of the application are respectfully requested.

Examiner's Interview

Applicants thank Examiner Koppikar for the courtesies extending to the undersigned during the telephonic Interview conducted on October 14, 2008. As discussed therein, Applicants respectfully submit that prior art reference EP 0399850 to Silverman is not applicable as prior art against claims of the present application.

Further, although U.S. Patent No. 5,136,501 to Silverman et al. (Silverman '501), which corresponds to EP 0399850, could be applicable as prior art under 35 U.S.C. §102(e), Applicants' representative asserts that Silverman '501 patent and the claimed subject matter of the present application were owned by the same company or under an obligation of assignment to the same company at the time the invention was made and, thus, Silverman '501 would not preclude patentability of the present claims in accordance with 35 U.S.C. §103(c).

We discussed that the present claims should be in condition for allowance upon confirmation that EP 0399850 is not applicable as a prior art reference and the above statement regarding 35 U.S.C. §103(c) with respect to Silverman '501.

Outstanding Rejections

Claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 120-123 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over EP0399850 A2 to Silverman et al. (Silverman '850) in view of U.S. Patent No. 5,305,200 to Hartheimer et al. (Hartheimer) and U.S. Patent No. 4,376,982 to Bantz et al. (Bantz). Reconsideration and allowance of these claims are respectfully requested.

The present application is a continuation application from U.S. Patent Application No. 08/364,009 (now U.S. Patent No. 5,727,165), which is a file wrapper continuation of U.S. Patent Application No. 07/788,575 filed on November 6, 1991. The subject matter of the pending claims are supported by the '575 application as originally filed on November 6, 1991.

Silverman '850 is a European patent that was filed on May 25, 1990, and was published on November 28, 1990, which is less than one year from the November 6, 1991, priority filing date of the present application. Silverman '850 is not an international patent application filed in accordance with the Patent Cooperation Treaty. Thus, Applicants respectfully submit that Silverman '850 is not applicable as prior art against claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 120-123 of the present application.

Further, Applicants respectfully submit that U.S. Patent No. 5,136,501 to Silverman (Silverman '501), which corresponds to Silverman '850 and from which Silverman '850 claims priority, would not be applicable as prior art against the pending claims of the present application as a replacement for Silverman '850. Applicants' representative asserts that Silverman '501 and the pending claims of the present application were assigned to Reuters Limited, or were under an obligation of assignment to Reuters Limited, at the time the invention was made and, thus, would not preclude patentability of the present claims in accordance with 35 U.S.C. §103(c).

For at least these reasons, Applicants respectfully submit that claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 120-123 are allowable over the prior art of record.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully Submitted,

Dated: November 13, 2008

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